

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, December 1, 2011

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Kathleen Therese Meany, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 10:30 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee**Procurement Committee****Report**

- 1 [11-1472](#) Report of bid opening of Tuesday, November 15, 2011

Published and Filed

Authorization

- 2 [11-1484](#) Authorization to amend Board Order of October 20, 2011, regarding Authority to Award Contract 06-843-3E, Replacement of Electrical Equipment at Webster IAS and O'Hare Reservoir, NSA, to Divane Bros. Electric Company, in an amount not to exceed \$556,000.00, Accounts 401-50000-645600, 401-50000-645700, and 401-50000-645720, Requisition 1326601, Agenda Item No. 28, File No. 11-1274

Approved

- 3 [11-1487](#) Authorization to amend Board Order of November 3, 2011, for Authority to advertise Contract 12-692-11 Utilization and Transportation of Air Dried Biosolids From LASMA and CALSMA, estimated cost \$1,573,400.00, Account 101-66000-612520, Requisitions 1329583 and 1327786, Agenda Item No. 24, File No. 11-1386.

Approved

Authority to Advertise

- 4 [11-1493](#) Authority to advertise Contract 12-906-21 Rehabilitation of Four Main Sewage Pump Rotating Assemblies at the Stickney WRP and Racine Avenue PS, estimated cost \$700,000.00, Account 201-50000-645750, Requisition 1332153

Approved

Issue Purchase Order

- 5 [11-1496](#) Issue purchase order to System Solutions, Inc. to Furnish and Deliver Citrix XenApp and Desktop Software licenses for renewal and addition to the District's Citrix production environment of 1200 XenApp licenses, in an amount not to exceed \$119,615.25, Accounts 101-27000-623800, 612820 Requisition 1328821

Deleted by the Executive Director

Award Contract

- 6 [11-1481](#) Authority to award Contract 12-001-11 Furnish and Deliver Lumber, Plywood and Nails to Various Locations for a One (1) Year Period to Construction Materials & Supply Resources, LLC, in an amount not to exceed \$57,876.00, Accounts 101-20000-623110, 623130

Approved

- 7 [11-1482](#) Authority to award Contract 08-170-3D, Office Shop & Storage Facility Service Tunnel Rehabilitation, Stickney Water Reclamation Plant, to Path Construction Company, Inc., in an amount not to exceed \$587,600.00, Account 401-50000-645750, Requisition 1326267

Attachments: [APP D 08-170-3D.pdf](#)

Deleted by the Executive Director

- 8 [11-1497](#) Authority to award Contract 11-682-11, Repair of Expansion Joints and Epoxy Injection at Various Locations, to Bill's Painting Company, in an amount not to exceed \$88,830.00, Accounts 101-67000, 68000-612600, 612650, 612680, Requisitions 1319516, 1317518, and 1290642

Approved

Increase Purchase Order/Change Order

- 9 [11-1485](#) Authority to increase Contract 07-163-3M (Re-Bid) R & D Building HVAC Improvements, Stickney Water Reclamation Plant, to Path-Milhouse, Joint Venture, in an amount of \$527,470.03, from an amount of \$8,423,297.74, to an amount not to exceed \$8,950,767.77, Accounts 401-50000-645680 and 645780, Purchase Order 5001056

Attachments: [CO_07-163-3M.pdf](#)

Approved

- 10 [11-1486](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$50,992.56, from an amount of \$232,590,795.20, to an amount not to exceed \$232,641,787.76, Account 401-50000-645650, Purchase Order 5000954

Attachments: [CO 07-220-3P.pdf](#)

Approved

- 11 [11-1492](#) Authority to increase purchase order and amend the agreement with Klein & Hoffman, Inc. for the professional engineering services for Contract 05-814-2D Miscellaneous Structural Engineering and Inspection Services in an amount of \$97,963.00, from an amount of \$2,700,000.00 to an amount not to exceed \$2,797,963.00, Account 201-50000-601420, Purchase Order 3043159 (As Revised)

Attachments: [11-1492 05-814-2D Summary of Task Orders](#)

Approved

- 12 [11-1505](#) Authority to increase purchase order and amend the agreement with DLA Piper US LLP to represent the District's interest in the ComEd appeal of the delivery rate proceeding before the Illinois Commerce Commission (ICC) as a member of the REACT Coalition, and participate in settlement discussions to remedy the estimation method used by ComEd in their Embedded Cost of Service Study (ECOSS), in an amount of \$40,000.00, from an amount of \$261,000.00, to an amount not to exceed \$301,000.00, Accounts 101-67000/68000/69000-601170/ 612150, Purchase Order 3051424

Attachments: [DLA Piper US LLP - 3051424 \(2\).pdf](#)

Approved

Engineering Committee**Authorization**

- 13 [11-1483](#) Authority to interpret Article 6.4 of the Manual of Procedures for the Administration of the Sewer Permit Ordinance to allow for the use of green infrastructure to reduce surface runoff from parcels of land that are subject to the Sewer Permit Ordinance

Approved

Labor & Industrial Relations Committee

Authorization

- 14 [11-1473](#) Authority to extend until December 15, 2011, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 3) the International Union of Operating Engineers, Local Union No. 399

Approved

- 15 [11-1477](#) Authority to Approve the Agreement between the Metropolitan Water Reclamation District of Greater Chicago and the International Brotherhood of Electrical Workers, Local Union No. 9, Electrical Instrumentation and Testing, (AFL-CIO) (*As Revised*)

Attachments: [11-1477 Local 9 EITM CBA](#)

Approved

- 16 [11-1478](#) Authority to Approve the Agreement Between the Metropolitan Water Reclamation District of Greater Chicago and the International Brotherhood of Teamsters, Local 700 (*As Revised*)

Attachments: [11-1478 Local 700 CBA](#)

Approved

- 17 [11-1480](#) Authority to Approve the Agreement Between the Metropolitan Water Reclamation District of Greater Chicago and The Building Trades Coalition and Chicago Regional Council of Carpenters (*As Revised*)

Attachments: [11-1480 Building Trades CBA](#)

Approved

Pension, Human Resources & Civil Service Committee

Report

- 18 [11-1502](#) Report on Total Compensation Study for Non-represented Employees, conducted by Hay Group, Inc.

Published and Filed

Real Estate Development Committee

Authorization

- 19 [11-1499](#) Authority to purchase real estate commonly known as 7 and 9 Stephen Street in Lemont, Illinois, comprising 0.17 acres and authority for payment to Camedo, LLC, the owner of said real estate, in connection with Contracts 05-711-3P and 10-716-3P relating to the construction of the Wet Weather Reservoir and the Wet Weather Treatment Facility at the Lemont Water Reclamation Plant in an amount not to exceed \$205,000.00, Account 401-50000-656010, Capital Improvement Bond Fund

Attachments: [12-01-11_Camedo LLC.pdf](#)

Approved

- 20 [11-1500](#) Authority to purchase real estate commonly known as 3 and 5 Stephen Street in Lemont, Illinois, comprising 0.17 acres and authority for payment to North Coast Church, the owner of said real estate, in connection with Contracts 05-711-3P and 10-716-3P relating to the construction of the Wet Weather Reservoir and the Wet Weather Treatment Facility at the Lemont Water Reclamation Plant in an amount not to exceed \$123,000.00, Account 401-50000-656010, Capital Improvement Bond Fund

Attachments: [12-01-11_North Coast Church.pdf](#)

Approved

- 21 [11-1501](#) Authority to commence negotiations with the Chicago Transit Authority for a 39-year lease of approximately 9.66 acres of District real estate comprising a CTA railroad line located east and west of McCormick Boulevard and along the northern boundary of the Northside Water Reclamation Plant in Skokie, Illinois, North Shore Channel Parcels 6.13 and 6.14

Attachments: [12-01-11_Chicago Transit Authority.pdf](#)

Approved

Approval of the Consent Agenda with the exception of Items: 5, 7 and 22

A motion was made by Frank Avila, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Miscellaneous and New Business

Ordinance - User Charge

- 22 [UC11-001](#) An Ordinance to Amend the User Charge Ordinance of the Metropolitan Water Reclamation District of Greater Chicago (*As Revised*)

Attachments: [12-1-11 Attachment-UCO with Amendments-v12.0-pk](#)
 [12-1-11 BTL-Auth to Amend UC Ordinance-v12.0-pk](#)

Deferred by **Barbara J. McGowan**

Meeting Summary

Speakers

Hal Sprague, Center for Neighborhood Technology, expressed appreciation for all the work the Board of Commissioners and the District staff do every day and the willingness to explore effective new ideas in the stormwater program. (Re: Engineering Item #13)

Hedy Ratner, Women's Business Development Center, addressed the Board regarding recommendations to the District's Affirmative Action requirements and certification.

George Blakemore, concerned citizen, expressed concerns regarding Affirmative Action requirements.

Summary of Requests

David St. Pierre

Debra Shore requested that the full report be shared with the Board (Re: Pension, Human Resources & Civil Service Item #18)

Mariyana T. Spyropoulos requested charts comparing represented and non-represented employees (Re: Pension, Human Resources & Civil Service Item #18)

Barbara J. McGowan requested a written correspondence to Hedy Ratner upon receipt of her Affirmative Action recommendations.

Michael A. Alvarez suggested the section name and committee name of Affirmative Action be changed.

Ken Kits

Frank Avila inquired about issues regarding rain runoff (Re: Engineering Item #13)

Ron Hill

Cynthia M. Santos inquired about the percentage used in previous leases (Re: Real Estate Item #21)

Study Session

A Study Session will be held on Thursday, December 8, 2011, immediately following the Special Meeting to Adopt the Budget, in the Board Room, 100 E. Erie Street, Chicago, Illinois. The purpose of the Study Session is to discuss changes to the User Charge Ordinance.

Announcements

*Annual Meeting December 6, 2011 at 10:00 a.m.
Public Hearing to consider the proposed Budget, December 7, 2011 at 10:00 a.m.
Special Meeting to Adopt the 2012 Budget, December 8, 2011 at 10:00 a.m.*

Terrence J. O'Brien, thanked all Labor Unions in regards to negotiations

Board Letter Submission Dates

The next regular board meeting is scheduled for December 15, 2011, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation December 2, 2011

Date Board letters are due to the Executive Director: 1:00 p.m., December 7, 2011.

Adjournment

A motion was made by Frank Avila, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, December 15, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this December 1, 2011, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

**President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago**

December 1, 2011